

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

SPENCER TAHERMANDARJANI,)
v. Plaintiff,)
CITY OF EDMOND; JOHN DOE, 1)
School Resource Officer, individually and in)
his official capacity; JOHN DOE, 2)
Santa Fe High School Administrator,)
Defendants.)
Case No. CIV-23-00277-JD

ORDER

Plaintiff Spencer Tahermandarjani filed this action against Defendants City of Edmond and John Does 1 and 2. Plaintiff brought federal constitutional claims under 42 U.S.C. § 1983 against John Does 1 and 2. He brought a negligence claim against City of Edmond.

On July 17, 2024, the Court granted the City of Edmond’s motion to dismiss the negligence claim for lack of subject matter jurisdiction. *See* [Doc. No. 15]. The Court also issued an order for Plaintiff to show cause why he had not identified or served John Does 1 and 2. *See* [Doc. No. 16]. The Court cautioned it was inclined to dismiss John Does 1 and 2 for lack of service of process under Federal Rule of Civil Procedure 4(m) “unless Plaintiff can show cause why an extension of time should be granted.” *Id.* at 1 (citing *Espinoza v. United States*, 52 F.3d 838 (10th Cir. 1995)). The Court explained that, alternatively, “if Plaintiff agrees to the dismissal of John Does 1–2 as defendants without prejudice, Plaintiff should so state in his response to this Show Cause Order or . . . may

by July 31, 2024, file a notice of dismissal without prejudice for [these] defendants.” *Id.* at 2.

On July 30, 2024, Plaintiff timely filed a joint stipulation of dismissal, dismissing Plaintiff’s claims against unidentified John Does 1 and 2 without prejudice to their refiling. *See* [Doc. No. 17].

Consequently, the Court’s Show Cause Order of July 17, 2024, is satisfied. Further, given there is no other claim or motion before the Court, the Court enters judgment on the dismissal without prejudice of the City of Edmond for lack of jurisdiction.

IT IS SO ORDERED this 31st day of July 2024.



JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE